

IN RE: PETITION FOR ZONING VARIANCE  
W/S Horn Avenue, 100 ft. N  
of Penn Avenue  
9400 Horn Avenue  
11th Election District  
5th Councilmanic District  
Jon-Ric Corporation  
Petitioner

#### ORDER OF DISMISSAL

The Petitioner herein requested a Zoning Variance from Section 1801.2.C.3 (V.B.6 and V.B.9, C.M.D.P.) to permit a window to street right of way of 22 feet in lieu of the required 25 feet and a building to street centerline distance of 47 feet in lieu of the required 50 feet, as more particularly described on Petitioner's Exhibit No. 1.

WHEREAS, the Petitioner did not appear for the hearing on August 2, 1990 at 9:30 A.M., and after waiting for one-half hour, the Petitioner neither failed to appear nor telephoned a message. Notice was clearly sent to the Petitioner at the address shown on the Petition; and

WHEREAS, appearing as Protestants were Lyn Berger and Mrs. Nolan who offered testimony in opposition of the matter; and

WHEREAS, the burden for obtaining a variance rests upon the Petitioner to go forward with evidence and testimony that establishes the prerequisites set forth in Section 307.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). Clearly, the Petitioner's failure to appear leads to only one result, the dismissal of the case.

IT IS THEREFORE ORDERED by the Zoning Commissioner for Baltimore County, this 2nd day of August, 1990 that the Petition for Zoning Variance in the above captioned matter be and the same is hereby DISMISSED without prejudice.

J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER OF  
BALTIMORE COUNTY

JRH:mmm  
cc: Peoples Counsel  
cc: Ms. Lyn Berger  
cc: Mrs. Nolan

#### PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-504-A

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1801.2.C.3 (V.B.6 and V.B.9, C.M.D.P.) and 1801.2.C.3

To permit a window to street right-of-way of 22 feet in lieu of the required 25 feet and a building to street centerline distance of 47 feet in lieu of the required 50 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

- 1) Due to the extreme shortage of buildable area on Lot 53, an unreasonably small house would be needed to fulfill all zoning requirements.
- 2) Owner purchased package of unfinished lots in subdivision and had no influence on Lot 53.
- 3) Lot would most likely remain unused if variance is not granted.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: Jon-Ric Corp.  
(Type or Print Name)  
Signature: [Signature]  
Address: KANDICE C. PYLE  
(Type or Print Name)  
City and State: [City and State]  
Signature: [Signature]  
Attorney for Petitioner: 113 Old Padonia Road, 561-9900  
(Type or Print Name) Phone No.  
Cockeysville, Maryland, 21030  
Signature: [Signature]  
Address: Name, address and phone number of legal owner, contract purchaser or representative to be contacted  
City and State: Name  
Attorney's Telephone No.: 113 Old Padonia Road, 561-9900  
Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 9th day of August, 1990, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of August, 1990, at 9:30 o'clock

J. Robert Haines  
Zoning Commissioner of Baltimore County.

#### W. DUVAL & ASSOCIATES, INC.

Engineers • Surveyors • Land Planners

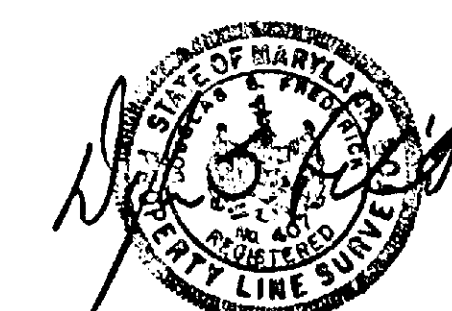
90-504-A

February 9, 1990  
ZONING VARIANCE

BEGINNING for the same at a point located on the westernmost side of Horn Avenue, 50 foot wide, said point also being a distance of 100 feet plus or minus from the intersection of Horn Avenue and Penn Avenue; thence leaving Horn Avenue South 87 degrees 31 minutes 46 seconds West 86.51 feet; thence North 09 degrees 32 minutes 32 seconds East 74.77 feet; thence North 87 degrees 31 minutes 32 seconds East 89.37 feet; thence binding on Horn Avenue, South 11 degrees 40 minutes 00 seconds West 75.42 feet to the point of beginning.

Containing 0.1476 acres of land more or less.

Being Lot No. 53 as shown on a plat entitled Plat One "Sharondale East" as recorded among the Plat Records of Baltimore County in Liber S.M. 55 folio 127, said lot being in the 11th Election District. Also being known as 8400 Horn Avenue.



530 East Joppa Road / Towson, Maryland 21204 / (301) 583-9571

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11th Date of Posting: 7/14/90  
Posted for: Jon-Ric Corp.  
Petitioner: Jon-Ric Corp.  
Location of property: W/S Horn Ave - 100' N/Penn Ave  
Location of Sign: Posting Horn Ave - 100' N/Penn Ave  
Remarks: On property of Petitioner  
Posted by: [Signature] Date of return: 7/14/90  
Number of Signs: 1

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:  
Petition for Zoning Variance Case number: 90-504-A  
W/S Horn Avenue, 100' N of Penn Avenue  
9400 Horn Avenue  
11th Election District  
5th Councilmanic District  
Petitioner(s): Jon-Ric Corporation  
Hearing Date: Thursday, July 5, 1990 at 9:30 a.m.  
Variance: To permit a window to street right-of-way of 22 feet in lieu of the required 25 feet AND a building to street centerline distance of 47 feet in lieu of the required 50 feet.  
In the event that this Petition is issued within the thirty (30) day appeal period, the Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
NEAU/6021 June 7

#### CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 7, 1990.

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zake Orlean

Publisher

PO 104673

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 11th Date of Posting: 6/17/90  
Posted for: Variance  
Petitioner: Jon-Ric Corp.  
Location of property: W/S Horn Ave - 100' N/Penn Ave  
Location of Sign: Posting Horn Ave - 100' N/Penn Ave  
Remarks: On property of Petitioner  
Posted by: [Signature] Date of return: 6/22/90  
Number of Signs: 1

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:  
Petition for Zoning Variance Case number: 90-504-A  
W/S Horn Avenue, 100' N of Penn Avenue  
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J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
NEAU/6021 June 7

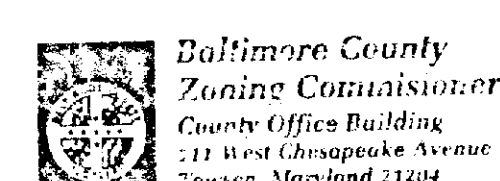
#### CERTIFICATE OF PUBLICATION

TOWSON, MD., June 13, 1990  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 7, 1990.

THE JEFFERSONIAN

S. Zake Orlean

Publisher



Date: 7/14/90

PUBLIC HEARING FILED

OLD ZONING VARIANCE (114)

LAST NAME OF OWNER: JON-RIC CORP

receipt

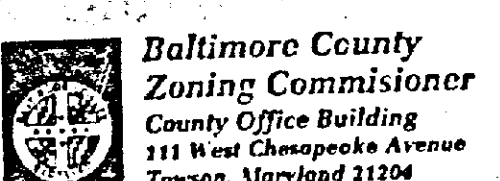
Account: R-001-6150  
Number: 3083

Date: 7/14/90

PUBLIC HEARING FILED

OLD ZONING VARIANCE (114)

LAST NAME OF OWNER: JON-RIC CORP



Date: 7/14/90

PUBLIC HEARING FILED

OLD ZONING VARIANCE (114)

LAST NAME OF OWNER: JON-RIC CORP

receipt

Account: R-001-6150  
Number: 2170

Date: 7/14/90

PUBLIC HEARING FILED

OLD ZONING VARIANCE (114)

LAST NAME OF OWNER: JON-RIC CORP

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

DATE: 7/14/90



Dennis F. Hammond  
County Executive

Jon-Ric Corporation  
113 Old Padonia Road  
Cockeysville, Maryland 21030

ATTN: KANDICE C. PYLE

Re: Petition for Zoning Variance  
CASE NUMBER: 90-504-A  
W/S Horn Avenue, 100' N of Penn Avenue  
9400 Horn Avenue  
11th Election District - 5th Councilmanic  
Petitioner(s): Jon-Ric Corporation  
HEARING: THURSDAY, AUGUST 2, 1990 at 9:30 a.m.

Gentlemen:  
Please be advised that \$ 100.00 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE CHECK SHALL NOT BE ISSUED. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,  
J. Robert Haines  
J. ROBERT HAINES  
ZONING COMMISSIONER

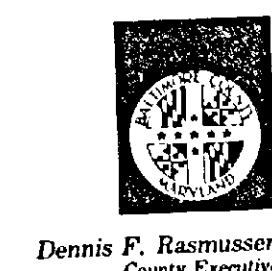
JRH:gs



Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

June 19, 1990



Dennis F. Rasmussen  
County Executive

NOTICE OF REASSIGNMENT

CASE NUMBER(S): 90-504-A  
PETITIONER(S): Jon-Ric Corporation  
LOCATION: 9400 Horn Avenue

THE ABOVE MATTER HAS BEEN REASSIGNED. THE HEARING WILL NOW TAKE PLACE AS FOLLOWS:

THURSDAY, AUGUST 2, 1990 at 9:30 a.m.

IN THE BALTIMORE COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE, ROOM 306, TOWSON, MARYLAND 21204.

*J. Robert Haines*

J. ROBERT HAINES  
ZONING COMMISSIONER  
BALTIMORE COUNTY

JRH:gs  
cc: Jon Ric-Corporation

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

May 21, 1990



Dennis F. Rasmussen  
County Executive

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 306 of the County Office Building located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Petition for Zoning Variance  
CASE NUMBER: 90-504-A  
W/S Horn Avenue, 100' N of Penn Avenue  
BAGD Horn Avenue  
11th Election District - 8th Councilmanic  
Petitioner(s): Jon-Ric Corporation  
HEARING: THURSDAY, JULY 5, 1990 at 9:30 a.m.

Variance: To permit a window to street right-of-way of 22 feet in lieu of the required 25 feet  
AND a building to street centerline distance of 47 feet in lieu of the required 50 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

*J. Robert Haines*

J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County

cc: Jon-Ric Corporation

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner

June 22, 1990



Dennis F. Rasmussen  
County Executive

Ms. Kandice C. Pyle  
113 Old Padonia Road  
Cockeysville, MD 21030

RE: Item No. 364, Case No. 90-504-A  
Petitioner: Kandice C. Pyle, et al  
Petition for Zoning Variance

Dear Ms. Pyle:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner



Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this  
9th day of May, 1990.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Kandice C. Pyle, et al

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner  
FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

DATE: May 10, 1990

SUBJECT: Jon-Ric Corp., Item No. 364

The Petitioners request a Variance to front yard setback requirements for a new dwelling.

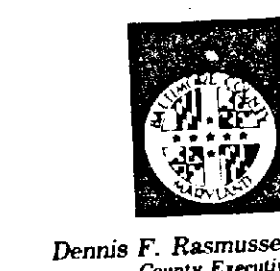
In reference to the Petitioner's request, staff offers no comments.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
(301) 887-3554

May 24, 1990



Dennis F. Rasmussen  
County Executive

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 332, 333, 354, 359, 362, 363, 364, 365, 366, 367, 369, 370, 371, and 372.

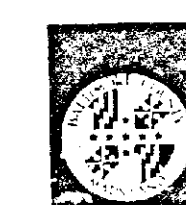
Very truly yours,

*Michael S. Flanigan*  
Michael S. Flanigan  
Traffic Engineer Associate II

MSF/lvw

Baltimore County  
Fire Department  
700 East Joppa Road, Suite 901  
Towson, Maryland 21204-5500  
(301) 887-4500

Paul H. Reincke  
Chief



Dennis F. Rasmussen  
County Executive

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: JON-RIC CORP.

Location: W/S HORN AVENUE  
9400 HORN AVENUE

Item No.: 364 Zoning Agenda: MAY 8, 1990

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

REVIEWER: *Paul H. Reincke*  
Planning Group  
Special Inspection Division

Noted and  
Approved

*Capt. Wm. J. Lindsey*  
Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: May 11, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting  
for May 8, 1990

The Developers Engineering Division has reviewed the subject revised zoning items and we have no comments for Items 332, 333, 354, 362, 363, 365, 369 and 370.

For Items 367, the previous County Review Group Comments still apply.

For Item 359, 2-foot setback for parking is inadequate for vehicle overhead against State Highway Administration fence.

For Item 364, the address on the plat is #9400 for Lot 53.

For Item 366, the correct plat reference is SM 56/139.

For Items 371 and 372, no plans were received for review and comment.

For 89-423A, we have no comment.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E., Chief  
Developers Engineering Division

RWB:s



